

WESTFIELD TOWN COUNCIL, December 11, 2006

The Westfield Town Council met in regular session Monday, December 11, 2006 at the Westfield Town Hall. Members present were Teresa Otis Skelton, Bob Smith, Jack Hart, David Mikesell, and Ron Thomas. Also present were Clerk-Treasurer, Cindy Gossard, Town Manager, Jerry Rosenberger and Legal Council, Brian Zaiger. President Bob Smith called the meeting to order at 7:00 p.m.

Approval of Minutes:

Jack Hart made a motion to approve November 13, 2006 minutes as presented. Teresa Skelton seconded. Vote: Yes-5; No-0. Motion carried.

Teresa Skelton made a motion approve November 27, 2006 Special Town Council Meeting Minutes as presented. Jack Hart seconded. Vote: Yes-5; No-0. Motion carried.

Guests:

The third graders from Maple Glen Elementary addressed the Town Council and thanked President Smith and Town Manager Rosenberger for their assistance in making a documentary about the Town of Westfield.

Council Recognition of Retiring Town Personnel:

The Council recognized Mr. Jim Spelbring, Paul Taylor, Teresa Skelton and Dave Mikesell for their years of service to the Town of Westfield.

Old Business:

Ordinance 06-51 Voluntary Annexation – Walnut Ridge First Reading and Public Hearing – November 13, 2006 Second Reading

Jerry Rosenberger presented details of this Ordinance.

Dave Mikesell made a motion to approve Ordinance 06-51 as presented. Jack Hart seconded. Vote: Yes – 5; No – 0 Motion carried.

**Resolution 06-20 Annexation Fiscal Plan
Walnut Ridge Annexation**

Jerry Rosenberger introduced the annexation fiscal plan.

Jack Hart made a motion to approve Resolution 06-07 as presented. Dave Mikesell seconded. Vote: Yes – 5; No – 0 Motion carried.

**Ordinance 06-55 Rezone Aurora PUD
Public Hearing at APC August 28, 2006
First Reading - November 13, 2006
Second Reading**

Teresa Skelton recused herself from this discussion.

Jerry Rosenberger introduced the Aurora PUD Rezone.

Mr. Steve Hardin, Baker & Daniels presented details of the proposed rezone and presented changes to the project.

Mr. Keith Heitman asked the council if they will allow a commercial use in this area.

Mr. Dale McCullough spoke of concerns regarding this project and the Comprehensive Plan.

Ron Thomas addressed his concerns about the Aurora PUD rezone and the Comprehensive Plan as well as the uses.

Mr. Jim Peyton spoke against the project and expressed his concern about the commercial uses and quality of life for the surrounding neighbors.

Steve Hardin responded to public hearing comments.

Ron Thomas moved to deny the proposal or send back to Plan Commission for further review.

No second; motion fails.

Jack Hart moved to approve Ordinance 06-55 with the condition that retail be stricken from the concept plan as discussed this evening along with all commitments presented to town staff as well as public works. Dave Mikesell seconded. Vote: Yes-3; No-1; Motion carried.

New Business:

**Ordinance 06-57 Rezone Dison Property
Public Hearing at APC, October 23, 2006
First Reading**

Jerry Rosenberger explained the details of the rezone request from SF-5 to AG-SF1 stating with a positive recommendation from the Advisory Plan Commission, this Ordinance can be heard on the first reading tonight.

Dave Mikesell made s motion to approve Ordinance 06-57 as presented. Ron Thomas seconded. Vote: Yes – 5; No – 0. Motion carried.

**Ordinance 06-59 Repeal of Ordinance 06-41 and 06-42
Vacant Lot Fees for Water and Wastewater Utility
First Reading**

Jerry Rosenberger explained the repeal of the ordinances, 06-41 and 06-42 and asked Council to suspend rules.

Dave Mikesell made a motion to suspend rules to repeal Ordinance 06-41 and 06-42 on first reading. Teresa Skelton seconded. Vote: Yes-5; No-0; Motion carried.

Dave Mikesell made a motion to approve Ordinance 06-59 as presented. Teresa Skelton seconded. Vote: Yes-5; No-0; Motion carried.

**Ordinance 06-60 Establishing a Water Utility Cash Reserve Fund
First Reading**

Jerry Rosenberger explained Ordinance 06-60 and Resolution 06-27 regarding water utility funds.

Dave Mikesell made a motion to approve Ordinance 06-60 as presented. Ron Thomas seconded. Vote: Yes-5; No-0; Motion carried.

Dave Mikesell made a motion to transfer \$520,000 to Utility Cash Reserve Fund. Teresa Skelton seconded. Vote: Yes-5; No-0; Motion carried.

Bob Smith moved to transfer \$520,000 from Utility Cash Reserve Fund to the COIT Special 2002 Fund. Teresa Skelton seconded. Vote: Yes-5; No-0; Motion carried.

**Resolution 06-27 Additional Appropriation
Cash Reserve Fund Reimbursement to Water Utility
Public Hearing**

Public Hearing opened 8:30 p.m.

None

Public Hearing closed 8:31 p.m.

Ron Thomas asked if this resolution could be addressed with other transfers.

Jerry Rosenberger responded this is just an additional appropriation request.

Teresa Skelton made a motion to approve Resolution 06-27 as presented. Jack Hart seconded. Vote: Yes-5; No-0; Motion carried.

Teresa Skelton made a motion to pay the water utility \$520,000. Dave Mikesell seconded. Vote: Yes-5; No-0; Motion carried.

Resolution 06-25 Year End Budget Transfers

Jerry Rosenberger explained these are transfers the Clerk Treasurer does every year before closing the book.

Teresa Skelton made a motion to approve Resolution 06-25 as presented. Dave Mikesell seconded. Vote: Yes-4; No-1 (Thomas); Motion carried.

Ordinance 06-54 Park Impact Fee Amendment
Public Hearing - APC November 27, 2006
First Reading

Curt Cooley explained the Park Impact Fee Amendment which is currently \$267 per single family unit and asked for the fee to be increased to \$875 per single family unit.

Jack Hart made a motion to suspend rules in order to begin the six-month waiting period. Dave Mikesell seconded. Vote: Yes-5; No-0; Motion carried.

Jack Hart made a motion to approve Ordinance 06-54 as presented. Dave Mikesell seconded. Vote: Yes-5; No-0; Motion carried.

Ordinance 06-15 Road Impact Fee Amendment
Public Hearing – APC, July 24, 2006
First Reading

Jerry Rosenberger explained the Ordinance details stating the current number is \$110/trip which is \$1,053.00 and the new numbers would be \$188/trip; which is \$1,800. Rosenberger further stated there are some minor corrections to the ordinance as well.

Bruce Hauk, Director, Westfield Public Works Department shared some comments supporting the Road Impact Fee Increase.

Ron Thomas made a motion to suspend the rules to approve Ordinance 06-15 on the first reading. Dave Mikesell seconded. Vote: Yes-5; No-0; Motion carried.

Ron Thomas made a motion to approve Ordinance 06-15 as resented. Jack Hart seconded. Vote: Yes-5; No-0; Motion carried.

Corridor Study Presentation by HNTB

Jerry Rosenberger introduced Ron Taylor, Landscape Architect and Planner with HNTB.

Ron Taylor gave a presentation on the Corridor Study and how it will affect the Town of Westfield.

Thoroughfare Plan Presentation by HNTB

Jerry Rosenberger introduced John Myers, HNTB, and stated the Thoroughfare Plan has been to committee and wanted to bring the Council up to date on this project.

John Myers gave a presentation on the Thoroughfare Plan and the future of the Town of Westfield.

Indiana Fiber Works - Maintenance Contract for the Westfield Fiber Board And Indiana Fiber Works Leasing Contract for Westfield Fiber Board

Jerry Rosenberger explained the Westfield Fiber Optic Board and the details of the process of the maintenance contract.

Mike Fisher discussed the Westfield Fiber Optic Board and the maintenance agreement stating the Board is requesting approval for the Westfield Fiber Board to enter into revenue generating contracts.

Jack Hart made a motion to support the contract and authorize the Westfield representative to sign the contracts at the Fiber Board Meeting. Teresa Skelton seconded. Vote: Yes-5; No-0; Motion carried.

Ordinance 06-58 2007 Salary Ordinance First Reading Rule Suspension

Jerry Rosenberger explained the 2007 Salary Ordinance and what was included for approval.

Teresa Skelton made a motion to suspend the rules to approve Ordinance 06-58 on first reading. Jack Hart seconded. Vote: Yes-5; No-0; Motion carried.

Teresa Skelton made a motion to approve Ordinance 06-58 as presented. Jack Hart seconded. Vote: Yes-4; No-1 (Thomas); Motion carried.

**Resolution 06-26 Additional Appropriation
MVH Fund and Road and Street Improvement Fund
Public Hearing**

Jerry Rosenberger explained the details of this Resolution.

Public Hearing opened 9:50 p.m.

None

Public Hearing closed 9:51 p.m.

Dave Mikesell made a motion to approve Resolution 06-26 as presented. Teresa Skelton seconded. Vote: Yes-5; No-0; Motion carried.

Westfield Public Works - Merrimac Standby Generator Purchase and Installation

Bruce Hauk explained the details of the Merrimac Standby Generator Purchase and Installation stating that this is one of our primary lift stations and it is very critical to keep this lift station operating.

Jack Hart made a motion to approve the purchase of the generator not to exceed the low bidder. Dave Mikesell seconded. Vote: Yes-5; No-0; Motion carried.

Consent Agenda:

Release of Performance Bonds

- Centennial Section 8 – Sanitary Sewer & Water
- Centennial Shops Phase I - Sanitary Sewer & Water

Teresa Skelton made a motion to approve the Consent Agenda Items as presented. Dave Mikesell seconded. Vote: Yes-5; No-0; Motion carried.

Town Manager Report:

- Asked for Council motion for approval for Meyer Najem to be contracted for the Town Hall Expansion Project.

Dave Mikesell moved to approve Meyer Najem as the contractor for the Town Hall Expansion Project. Jack Hart seconded. Vote: Yes-4; No-1 (Thomas); Motion carried.

- The Historical Society discussed opening up a Historical Museum; may be receiving a \$75,000 grant from the Hamilton County Visitors Bureau.
- Close to the demolition of the Westfield Water Tower.

Bob Smith thanked Chief Keith Smith for his service as Fire Chief in Westfield and wished him luck in the future.

Bob Smith requested the Council move to appoint Gary Sutherland as Acting Chief in the interim.

Teresa Skelton made a motion to approve the appointment of Gary Sutherland as Acting Fire Chief. Dave Mikesell seconded. Vote: Yes-5; No-0; Motion carried.

Council Member Comments

Bob Smith gave Open Doors report and thanked the organization and its volunteers for their efforts toward the betterment of the community.

Dave Mikesell thanked Jerry and other Council members for their hard work over the past years.

Claims:

Dave Mikesell made a motion to approve claims as submitted. Teresa Skelton seconded. Vote: Yes-5; No-0; Motion carried.

Meeting adjourned at 10:10 p.m.

Clerk-Treasurer

Council President